



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O I P E **APR 3**
JAN 17 2006
PATENT & TRADEMARK OFFICE

In re Application of:
Richard E. Waitkus, Jr. § Group Art No. **2857**
Serial No.: **10/774,240** §
Filed: **February 6, 2004** § Examiner: **Tung S. Lau**
For: **Systems and Methods for Material Management** §
Atty Docket No.: **016093.0118**

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

NOTICE OF APPEAL

In response to the Advisory Action mailed January 9, 2006, Applicant respectfully requests the Board of Patent Appeals and Interferences to reconsider the rejections to the claims and the objections to the Application. Applicant further requests consideration of the enclosed Pre-Appeal Brief.

01/19/2006 WABDEL1 00000001 10774240
01 FC:2251 60.00 OP

01/19/2006 WABDEL1 00000001 10774240
02 FC:2401 250.00 OP

REMARKS

This Application has been carefully reviewed in light of the Advisory Action mailed January 9, 2006. Applicant respectfully requests consideration and favorable action in this Application.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decisions of the Examiner mailed September 16, 2005 finally rejecting Claims 1, 3-11, and 13-32.

Applicant further requests pre-appeal review of this case and has enclosed a Pre-Appeal brief.

This application is filed on behalf of a large entity.

Attached herewith is Check No. 952105 made payable to the "Commissioner of Patents and Trademarks" in the amount of \$250.00 to satisfy the Notice of Appeal fee under 37 C.F.R. §1.17(b).

Applicant respectfully requests a one month extension of time for filing this Notice of Appeal. Attached herewith is a Petition for Extension of Time (PTO/SB/22) with Check No. 952104 in the amount of \$60.00 in support thereof.

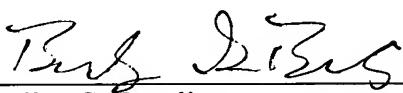
CONCLUSION

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant



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January 17, 2006

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